

**MINUTES OF THE REGULAR MEETING OF THE GRANTSVILLE CITY
COUNCIL HELD WEDNESDAY, JUNE 20, 2001**

Mayor and Council Present: Mayor Merle Cole. Council Members: Byron Anderson, Craig Anderson, Kevin Hall, Justin Linares, and Karen Watson.

Appointed officers and employees present: Wendy Palmer, City Recorder, Attorney Ronald Elton.

Citizens and Guests: Mary Ruth Hammond (press), Peggy Pearce, Robin Payne, Jeff Killpack, Craig Neeley (Aqua Engineering), Arlyn Proctor (Bookmobile Librarian).

APPROVAL OF MINUTES: Karen made the motion to approve the minutes of the previous City Council meeting held 6-6-01 with the amendment to page 5, Heritage Grove Subdivision approval adding the authorization of Mayor Cole to review and approve the subdivision improvement bond. Craig seconded the motion. All voted in favor, motion carried.

PRESENTATION OF GRANT FROM EAGLES: Mayor Cole and Byron Anderson presented a \$500.00 check from the Eagles to Arlyn Proctor, Bookmobile Librarian, for assisting the elderly in reading. Mayor stated that he would like for Marrium Croom, Senior Citizens President, to work with Mr. Proctor in deciding the best way for this grant money to be used to help the senior citizens. Mayor also asked that the Council consider adding \$250.00 from the City to promote our library. Karen made the motion to donate \$250.00 to the Bookmobile Library for use with the \$500 grant money from the Eagles. Craig seconded the motion. All voted in favor, motion carried. Mayor informed Mr. Proctor that if a Senior Citizen needs a book and cannot get to the library to get it, the Mayor would have the Police Department deliver the book or tape to them. Byron explained that the reason for the requirement for the grant to benefit the seniors is because the grant money is given out of the golden age fund.

CONSIDERATION OF MINOR SUBDIVISION- JEFF KILLPACK: Karen made the motion to approve the minor subdivision for Jeff Killpack on the corner of Church Street and Clark Street. Craig seconded the motion. Mayor stated that there was one concern expressed about this subdivision from the neighbor to the south. The neighbor was not against the subdivision he just expressed his concerns about affecting his property values. Justin asked Mr. Killpack why he didn't consider making the lots wider and deeper. Mr. Killpack stated that he would like to build duplexes on the two larger lots. All voted in favor the motion carried.

PEGGY PEARCE-CITY BEAUTIFICATION PROJECT PROPOSAL: Mrs. Pearce presented the Mayor and Council with her proposal of creating an area on the corner of Main Street and SR112 where it is currently a vacant lot. Peggy stated that improving that corner and moving the "Welcome to Grantsville" sign would make an attractive impression of our community. Robyn Payne a neighbor of this proposed improvement area stated that she supported Mrs. Pearce's idea. The property was zoned for the Tooele Federal Credit Union and would like the Council to consider changing the zoning back to residential zoning due to the fact that the Credit Union did not locate on this property. Byron stated that he would look into the cost of creating an area of this property into an attractive welcome site. Byron stated that he would talk with Jay Hale the owner of the property to see if he would have any objections, or consider selling a portion of the property.

CONSIDERATION OF NEW BUSINESS LICENSES:

Mike and Fran Pettis – 510 W. Clark: Craig stated that this conditional use permit was approved. Mr. Pettis will be selling hay products that will be delivered directly to the customers' homes. Craig made the motion to approve the business license for Mike and Fran Pettis, Mountain Sunrise feed, at 510 W. Clark. All voted in favor, motion carried.

Rael Post, 50 N. Trackside Circle – Contractor: Craig stated that Mr. Post will be a sub-contractor using his home as an office only. Craig made the motion to approve the business license for Rael Post, 50 N. Trackside Circle. Karen seconded the motion. All voted in favor, motion carried.

CONSIDERATION OF ORDINANCE TO AMEND THE LAND USE MANAGEMENT CODE AS IT RELATES TO SECONDARY WATER REQUIREMENTS AND ADOPT A FORMULA FOR FIGURING THE AVERAGE IRRIGATED ACRE: Mayor informed the Council that Councilman Kevin Hall requested that this item be postponed due to the fact that he could not attend this meeting. Mayor asked the Council to support this request. Craig made the motion to postpone this item until July 18, 2001. Justin seconded the motion. All voted in favor, motion carried.

CONSIDERATIONS OF SETTING PUBLIC HEARINGS: Craig stated that the Planning Commission was not ready to send forward this issue at this time.

Craig made the motion to set the public hearing for zone change from R1-21 to R1-12 on the corner of Center and Durfee Streets for July 18, 2001. Byron seconded the motion. All voted in favor, motion carried.

CONSIDERATIONS OF CHERRY GROVE SUBDIVISION ISSUES:

- a. **Recovery rights:** Kary Yates presented his new breakdown of all of the time and mileage along with hard cost invoices for Cherry Grove Subdivision. Kary stated his position on why he felt that he should be compensated for his time and mileage even though he is the developer. Kary stated that many of the functions that he performed he would have hired a company to do the work and they would have given him a billing. But, because he could not afford to hire things done like the traffic study and the engineering of West Main Street and SR 138 he feels that his time to accomplish these required items should be compensatable to him. Craig Neeley Grantsville City Engineer from Aqua Engineering firm was present and made a suggestion that the city could set a policy of a certain percent of the total hard costs for administration of a project. His firm generally uses 5% of the hard cost as an estimate for administrative costs. Justin stated that he has a hard time agreeing with the travel reimbursement. Justin stated that the Yates took that risk when they decided to develop at such a long distance from their base operation. Byron and Justin agreed that we need to be careful of what we approve for the Yates' because the next developer to come along may want to charge more for their time, we need to be consistent. Justin stated that he would like to see that we amend the ordinance to provide for consistency in the future after we as a Council move on and a new Mayor and Council is making these decisions. Attorney Elton stated that the administrative costs can be determined as a policy without changing the ordinance. Mayor stated that he felt that the administration costs go into the price of the lot. Attorney Elton stated that the ordinance limits the interest rate that can be collected is limited to 3%. Justin stated that he would feel OK about allowing the hours spent in meetings. Kary proposed that the recovery right process to be based on a division of 5. The next developer would pay 4/5th of the cost of the improvements and then the next developer would have to wait for another developer to come along. The next developer would pay 3/5ths of the cost of the improvements and so on and so on. Attorney Elton stated that the ordinance does not allow for that type of recovery rights. Justin made the motion to approve recovery rights to Ridgewood Development for the improvements of West Main Street and Water and Sewer including 5% of administrative costs of \$8932.52. A hard cost with invoices \$178,650.54 for a total 187,583.06. Byron seconded the motion. All voted in favor, motion carried. Recovery rights to take effect January 1, 2001. The recovery right was applied for on October 26, 2000.
- b. **Requests for extension to begin phase II of Cherry Grove Subdivision:** Craig made the motion to approve an 18-month extension for Cherry Grove Development for Bonding. Byron seconded the motion. All voted in favor, motion carried.

CONSIDERATION OF JAIL CONTRACT: Mayor stated that he has not had any response to his letter to the Tooele County Commissioners or the Sheriff's office concerning the proposed Jail Contract. Mayor stated that he feels that we should wait until they respond to us and until then the current contract terms and fees remain in effect.

The recovery right recommendations from Engineer Craig Neeley would need to be on the next agenda to consider sending this issue to the Planning Commission to amend the ordinance to include the administrative fee.

CONSIDERATION OF CHALLENGE TO CONDITIONAL USE PERMIT FOR WILLOW ELEMENTARY SCHOOL PROGRESS REPORT: Mayor stated that he has not made much progress in this area yet. Craig stated that he thought Bruce Parker could add some help in area. Recorder Palmer suggested Craig Neeley from Aqua Engineering.

LIFE SKILLS PROGRAM FOR JUSTICE COURT: Recorder Palmer explained this program that the Justice Court Judge would like to implement for the defendants to help with behavior modification. An approved coach in the home of the defendant or coach conducts this program. The defendant goes through the booklet and returns it to the Court to be returned to the Sponsor Company for grading. If the defendant fails the course the Judge can then require the defendant to retake the course or send them to a facility for additional help. The course consists of questions that help them learn to make the proper choices of right and wrong. It will show them why making the wrong decisions has caused them to have problems and also how making the right choices can help improve their lives.

JULY 4TH 2001: Karen stated that everything is going along well.

COUNCIL OF GOVERNMENT MEETING REPORT BY MAYOR COLE: Mayor stated that the Assistant Principal made his presentation to the COG, the Tooele County School District representative was not present. The Tooele County Auditor presented the method in which the property tax rates are adopted. Mayor stated that Grantsville City is not eligible for the 21st Century money. The COG sent a resolution back to the Wasatch Front stating that there are many communities along the Wasatch Front that are rural and asked the 21st Century Community Committee to reconsider their decision. Mayor stated that the CDBG money was reallocated to help Tooele City finish their project. Mayor stated that Envision Utah has begun a more localized planning process for rural counties. Mayor stated that it has started with "Nebo Vision" and has spread throughout Utah. Mayor stated that he has been asked to Chair the meeting for Tooele County. Byron asked for copies of the notice of these meetings to be copied for all of the Council.

TRAFFIC/STREET MASTER PLAN: Mayor stated that Grantsville City needs to have a master plan done in order to make us eligible for the money from UDOT to help us develop our by-pass road. Craig Neeley informed the Mayor and Council that he has been successful in Nevada in obtaining grant money to develop a base plans and the grant money will allow for a more detailed plan. Mayor stated that he was told that UDOT told him that grants would take up to 6 years to obtain.

APPROVAL OF BILLS: Byron made the motion to pay the bills as presented. Craig seconded the motion. All voted in favor, motion carried.

OTHER BUSINESS: Byron related to the Council that Ty Anderson the owner of Handy Corner had contacted him asking for relief of building fees for the construction of his new convenience store and restaurant. Byron asked if we have done anything in the past. Recorder Palmer related to the past practice of previous City Councils is that the City's portion of building fees are waived for businesses. The reason for the waiver has been that the business will more than make up for the fees in increased property tax and sales tax. This item is to be placed on the next agenda for consideration.

Byron passed out information concerning the new gazebo's he is proposing to replace the existing gazebos at the Cherry Street park, cemetery, Academy Square and city hall.

Justin informed the Council that he did get an inquiry from EDU-Economic Development of Utah for consideration of membership for 2001-2002. Mayor and Council felt that we should continue this membership. Justin is to let them know to forward the billing for payment in July 2001.

Karen informed the Council the Ashley Durfee, Miss Grantsville, competed at the Miss Utah pageant and did a wonderful job representing our city. Karen asked if the Mayor and Council would like to do anything for the Olympics? Mayor and Council did not have any suggestions at this time.

Karen informed the Mayor and Council that EnviroCare has committed to donate \$10,000 over 3 years for the purchase of an electric sign for Grantsville City Hall. Safety Kleen is positively considering the donation for the same. MagCorp has turned us down. However, Karen stated that she is going to continue to pursue a donation from MagCorp.

Karen stated that she is going to have the museum-training luncheon on or about June 30th. Karen stated that the Museum has received a \$3000 grant and we have an opportunity to apply for a \$7,000 grant if the museum was open 1000 hours per year. The problem is that the museum does not have a heat source so the winter months would be cold. Byron stated that he was concerned about putting heating system in the building that we do not ruin the historical value of the building.

Gary Christley reported on the progress of the Heritage Play. Gary stated that Matt Price is willing to direct the play but due to schedules the play will not be produced until June of 2002. The cost of the play would run about \$10,000. This would include costumes, sets and compensation for Matt Price. Gary estimated that the first year the play would bring in about \$7500. Then the next years the \$10,000 would be paid back. Gary suggested that if we tied the play into another event like the pioneer day at the Benson Grist mill. It was suggested to have heritage week and make a celebration around the play. We could even consider holding the play at the J. Ruben Clark farm if the Clark family would allow it.

ADJOURNMENT: Byron made the motion to adjourn this City Council meeting at 10:10 p.m. All voted in favor, motion carried.

Wendy Palmer, City Recorder

Merle E. Cole, Mayor